

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD  
ON DECEMBER 17, 2014 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS**

**MAYOR:** Alfonso E. Ortiz, Jr.

**COUNCILORS:** Tonita Gurule-Giroñ  
David L. Romero  
Joey Herrera  
Vincent Howell

**ALSO PRESENT:** Elmer Martinez-Acting City Manager  
Casandra Fresquez-City Clerk  
Dave Romero-City Attorney  
Eugene Garcia-Sergeant at Arms

**CALL TO ORDER**

Mayor Alfonso E. Ortiz, Jr. called the meeting to order at 6:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Ortiz, Jr. asked for a moment of silence to remember those less fortunate and to extend a helping hand to those in need during the holidays. Mayor Ortiz, Jr. also expressed that we should keep those in mind who are dealing with health issues.

**APPROVAL OF AGENDA**

Acting City Manager Elmer Martinez notified the audience that the item regarding the South Commerce zone change was not on the agenda and that it would be heard on the Regular meeting set for January 21, 2015.

Mayor Ortiz, Jr. reminded that anyone signing up for Public Input should sign up fifteen minutes prior to the meeting.

Councilor Howell made a motion to approve the agenda as is. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Mayor Ortiz, Jr. stated to the audience that the agenda is always open for discussion after it is approved.

## **APPROVAL OF MINUTES**

City Attorney Dave Romero recommended that the minutes for November 12<sup>th</sup> Work Session Meeting regarding the report given by the Recreation Director Loretta Abreau be omitted from the minutes because of potential litigation.

Councilor Gurule-Giroñ made a motion to approve the minutes for November 12<sup>th</sup> Special Meeting, November 12<sup>th</sup> Work Session and November 19<sup>th</sup>, with the recommended changes from City Attorney Romero and Acting City Manager Martinez regarding the November 12<sup>th</sup> Work Session Meeting. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



## **MAYOR'S APPOINTMENTS/REPORTS**

Mayor Ortiz, Jr. advised of the three recommendations that would be discussed in Executive Session regarding City Attorney, City Clerk and the Chief of Police and would be voted on at the Special Meeting held on December 22, 2014. Mayor Ortiz, Jr. briefly discussed the matters regarding the jobs and how important the role they take in serving the community and commended the Police Department for the work they do in helping people in our community. Mayor Ortiz, Jr. wished everyone in the community a Merry Christmas and asked of those to be thankful for their blessings.

## **MAYOR 'S RECOGNITIONS/PROCLAMATIONS**

None at this time.

## **PUBLIC INPUT**

Las Vegas Police Officer Adam Vigil advised that he was in support of Commander Juan Montano being appointed to Chief of Las Vegas Police Department.

Pastor Artie Martinez of the Family Fellowship Ministries expressed his thoughts on supporting the HIA program and to commend the City of Las Vegas working well with the public regarding the diversity in our community.

Paul Gray spoke in support of recommending the appointment of Commander Juan Montano to Chief of Police and advised of his strong leadership skills and that he worked well with the community.

Las Vegas Police Officer Brandon Evans expressed his support of the appointment of Las Vegas Police Chief to Commander Juan Montano.

AFSCME Local 2851 Secretary Treasurer Floyd R. Lovato briefly spoke on behalf of his support of Commander Juan Montano to be appointed to Las Vegas Police Chief.

Pat Leahan spoke briefly in support of Deputy Chief Eugene Garcia being appointed to Las Vegas Police Chief and added that his leadership abilities would be an asset to the Police Department as Chief of Police.

Mayor Ortiz, Jr. thanked those for their input and was pleased that community members could show their support regarding the appointment of this position. Mayor Ortiz, Jr. also expressed his gratitude of everyone working well together and noted that Bob Wessley and Bruce McAllister were not present but advised that he appreciated them for attending meetings.

### **CITY MANAGER'S REPORT**

Acting City Manager Elmer Martinez spoke briefly about the RFP discussed previously at the last work session regarding emergency services and clarified that the services would be split up and advised that they were proposing for the RFPs to include emergency services.

Acting City Manager Martinez informed council that the dollar amount for concrete work by the firm working for the City of Las Vegas for the past two to three years was \$176,992.00.

Councilor Gurule-Giroń asked if a time limit was given on the contracts.

Acting City Manager Martinez advised that a renewal clause may be added to the contract depending on it being a bid or an RFP.

Councilor Gurule-Giroń briefly expressed her concern on opposing renewal clauses and recommended giving a six month or yearly contract and when the time is met suggested that the RFP be put out again.

Discussion took place regarding the renewal clauses on the RFPs and Request for Bids process.

### **PRESENTATIONS**



Mayor Ortiz, Jr. recognized Pat Leahan for her hard work and dedication as a volunteer to the community and commended her for meeting other peoples' needs before her own.

Health Impact Assessment Team Project Coordinator, Pat Leahan made a presentation regarding the proposed Reintegration Center which would be located adjacent to the Sam Miguel County Detention.

HIA Team Member Pastor Artie Martinez spoke briefly on the benefits that the proposed project would provide regarding the reintegration of incarcerated individuals.

Pat Leahan gave a detailed report on how the services of the Reintegration Center would impact our community's well being and advised that a finalized report of the recommendations would be presented to council and asked council for their support for the Reintegration Center Project.

Mayor Ortiz, Jr. commended Pat Leahan and Pastor Artie Martinez on their well informed presentation on the Reintegration Center and spoke positively on the benefits of helping people and about the financial gain for the city, as well.

Councilor Howell had a question on the deadline date for letter of support.

Pat Leahan informed that it could be a letter of support or a resolution written by council and that it would be needed before the Legislative Session which would be held on January 20, 2015.

Discussion took place of the importance of helping the victims of society and the need for changing the community and allowing different facilities to tie into other programs to more efficiently help the community. The governing body expressed their full support for the Reintegration Center Program.

## **FINANCE REPORT**

Finance Director Ann Marie Gallegos presented the finance report ending November 30, 2014. Finance Director Gallegos advised that the revenue for the General Fund was at forty two percent of the year or 5 of 12 months out and



advised that she and Acting City Manager Martinez would be reviewing the revenues and expenditures through December 31, 2014 and come back with recommendations for raising revenue percentages. Overall revenue was at thirty six percent and expenditures came in at forty one percent.

Councilor Gurule-Giroń had a question on the expenditures for City Attorney.

Finance Director Gallegos clarified that the expenditure was to hire a legal assistant for the time of three months for the reason that Victoria Lovato was out on leave. Finance Director Gallegos advised that the Recreation Department revenue was at thirty eight percent and expenditures were at thirty six percent. Finance Director Gallegos informed that the Enterprise Funds revenue was at thirty five percent and expenditures came in at thirty three percent.

Councilor Gurule-Giroń reminded that at the last work session, solid waste and water revenues were discussed and asked what measures were being taken to level off the actual solid waste revenue and the over- charges to customers.

Acting City Manager Martinez and Finance Director Gallegos explained that the revenue had dropped from last month and that it was being monitored and would be looked at mid-year and determine if any adjustments will need to be made and advised that measures would be taken to identify the problems with percentage increases. Finance Director Gallegos advised Councilor Gurule-Giroń that the information would be obtained and given to council as soon as it would be available.

Councilor Gurule-Giroń had concerns with the Tyler Technology System regarding the lack of security of administrative access to input rate structures and entering of formulas that had occurred in the past. Councilor Gurule-Giroń made a recommendation to ensure that this issue has been resolved.

Acting City Manager Martinez assured councilor that the issue would be addressed.

Councilor Howell asked when the mid-year review would take place and if council would be involved.

Acting City Manager Martinez and Finance Director addressed the question regarding the mid-year review.

## **CONSENT AGENDA**

City Clerk Fresquez read the consent agenda Business Items into record to include Business Items one through five.

1. Approval for out of state travel for management negotiating team members Victoria Lovato and Andrew Quintana to attend Employee Relations Law Seminar in Newport Beach, CA.
2. Approval to award the Request for Proposal for the Las Vegas Police Department gasoline fleet maintenance repair contract to D.A.G. Enterprise of NM, LLC.
3. Approval of resolution #14-71 Budget Adjustment Resolution.

Resolution #14-71 was presented as follows:

STATE OF NEW MEXICO  
MUNICIPALITY OF CITY OF LAS VEGAS  
BUDGET ADJUSTMENT RESOLUTION NO. 14-71

**WHEREAS**, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2015; and

**WHEREAS**, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

**WHEREAS**, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional grant funds for the purposes of supplies and equipment for fire department,, for maintenance and repair for waste water, and other water projects funding, to be funded by additional grant funding, local funds, and;

**WHEREAS**, the City of Las Vegas is in need of making adjustments to the 2015 fiscal year budget;

**WHEREAS**, it is the majority opinion of this Council that the budget adjustments meet the requirements as currently determined for fiscal year 2015;

**NOW, THEREFORE**, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, **PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF DECEMBER, 2015.**



Alfonso E. Ortiz, Jr. Mayor

ATTEST:

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Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

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Dave Romero, City Attorney

4. Approval to award Bid #2015-14 for the Rough Rider Museum Roofing Improvements to Everguard Roofing, LLC.

5. Approval to award Bid #2015-15 for the Carnegie Library Repairs to New Image Construction.

Councilor Herrera made a motion to approve consent agenda as read into record. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroń	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

## **NEW BUSINESS**

1. Approval/Disapproval to provide water service to Mr. & Mrs. Mascarenas off of the East Loop water line.

Utilities Director Garcia answered questions asked at the last meeting when the item was presented regarding the number of water taps Mr. Oxido had and advised that the transferring of taps was allowed according to the agreement.

Utilities Director Garcia advised that the East Loop water line up to Zeamway Road will be completed the first week of January 2015. Mr. Mascarenas



purchased a water tap from Mr. Jeff Salman and has paid all fees. Staff is requesting permission to serve Mr. & Mrs. Mascarenas off the new water line.

Councilor Gurule-Giroń asked the number of water taps that was given to Mr. Oxido.

Utilities Director Garcia advised that it was seventy four taps that Mr. Oxido had.

Councilor Herrera made a motion to approve to provide water service to Mr. & Mrs. Mascarenas off of the East Loop water line. Councilor Howell and Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	David L. Romero	Yes
Joey Herrera	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

## 2. Approval/Disapproval to Publish Ordinance #14-11.

Utilities Director Garcia advised that this grant/loan is for the purpose of acquiring, constructing, modifying and otherwise improving the Wastewater facilities of the City of Las Vegas joint water and wastewater conveyance and treatment system or sewage plant sludge handling modifications. On October 15, 2012 Ordinance #12-18 was adopted based on an updated cost estimate from Molzen, Corbin & Associates increasing the loan amount from \$121,000 to \$356,000 to cover additional construction costs including the bridge crane, undefined elements, contingencies, and increase the cost of the centrifuge equipment. On November 21, 2014 an interim loan agreement renewal was signed by NMED and the City of Las Vegas for an additional \$190,000 in grant funding to complete the project. Therefore, the Ordinance must be amended to reflect the additional funding.

Councilor Gurule-Giroń had questions pertaining to the grant/loan.



Utilities Director Garcia explained that the Ordinance was amended for the reason of the additional \$190,000 funded and advised the loan portion would not change.

Councilor Howell made a motion to approve to publish Ordinance #14-11. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

### **COUNCILORS' REPORTS**

Councilor Gurule-Giroń thanked City staff and Council for all the hard work throughout the year and also commended Acting City Manager Martinez for keeping his staff on task, regarding the follow-up information requested by Council and being obtained in a timely matter.

Councilor Howell advised that he was making an effort to educate himself concerning the Buxton Report in order to help the local business owners understand the report. Councilor Howell added that it would help to make better decisions for economic development and requested that the Buxton report be accessible to the community. Councilor Howell also asked when training for Buxton would be available.

Acting City Manager Martinez informed Councilor Howell the information requested would be obtained from Matt Griego and brought to Council as soon as possible.

Discussion took place concerning an updated Economic Development Plan needed from the EDC.

Councilor Herrera expressed his thoughts on the improvements in all the departments and thanked management for all their cooperation. Councilor



Herrera wished everyone safe and Happy Holidays and asked that everyone appreciate friends and family.

Councilor Romero stated that it had been a good year and hoped that everyone would get along.

Mayor Ortiz, Jr. advised that the City of Las Vegas is moving forward and doing a lot of good things and working on complex projects and was pleased that council has been working well together. Mayor Ortiz, Jr. thanked Acting City Manager Martinez for helping the City of Las Vegas move ahead.

### **EXECUTIVE SESSION**

Councilor Gurule-Giroñ made a motion to convene into Executive Session to discuss personnel matters and potential litigation. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	Vincent Howell	Yes
Tonita Gurule-Giroñ	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

### **RECONVENE INTO REGULAR SESSION**

Councilor Gurule-Giroñ made a motion to reconvene into regular session and advised that no action was taken on personnel action matters and only potential litigation discussion occurred. Councilor Romero and Councilor Howell seconded the motion.

Mayor Ortiz, Jr. informed that the two candidates were present and advised that a decision would be made by Monday; he also added that he hoped that there would be full cooperation from both candidates to work as a team, regardless of the outcome.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

## ADJOURN

Councilor Howell made a motion to adjourn. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

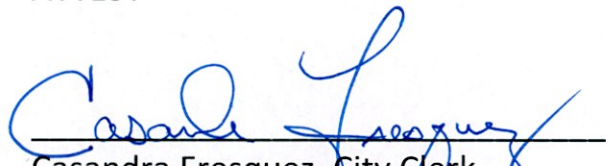
Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



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Mayor Alfonso E. Ortiz, Jr.

ATTEST



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Casandra Fresquez, City Clerk